

**BEFORE THE ARIZONA STATE VETERINARY MEDICAL
EXAMINING BOARD**

IN THE MATTER OF:)	Case No.: 20-76
LYLE ROBINSON, DVM)	FINDINGS OF FACT,
Holder of License No. 3524)	CONCLUSIONS OF LAW
)	AND ORDER
For the practice of Veterinary)	
Medicine in the State of Arizona,)	
)	
Respondent.)	

On September 16, 2020 and October 21, 2020, the Arizona State Veterinary Medical Examining Board conducted an Informal Interview regarding Lyle Robinson, DVM ("Respondent"). The proceedings in this matter are governed by A.R.S. § 32-2234 (A). Respondent was advised of his right to legal counsel by letter, appeared, and participated in the Informal Interview with counsel, W. Reed Campbell. The Board reviewed all documents submitted regarding this matter, took testimony from Respondent, and proceeded as is permitted by A.R.S. § 32-2234 (A).

Following the Informal Interview and the Board's discussion of the information and documents submitted, the Board determined that Respondent's conduct constituted unprofessional conduct pursuant A.R.S. § 32-2232 (12) as it relates to AAC R3-11-501 (1) for failure to provide current professional and scientific knowledge. Other violations related to medical records (A.R.S. § 32-2232(21) as it relates to A.A.C. R3-11-502(H)(2) and (H)(3)) were also determined. After considering all the information and testimony, the Board issues the following Findings of Fact, Conclusions of Law and Order, ("Order").

1

2 **FINDINGS OF FACT**

3 1. Respondent is the holder of License No. 3524 issued on August 21, 1997,
4 and is therefore authorized to practice the profession of veterinary medicine in
5 the State of Arizona.

6 2. On October 25, 2019, Complainants adopted the kitten from The Animal
7 League of Green Valley (TALGV). The TALGV Adoption Agreement signed by
8 Complainants required the kitten to be neutered after November 30, 2019 and
9 before January 31, 2020. The Adoption Agreement also relayed that TALGV
10 would maintain ownership of the kitten until altered.

11 3. On November 20, 2019, the kitten had returned to TALGV for a FVRCP
12 vaccine.

13 4. On January 4, 2020, the kitten was presented to TALGV again for an
14 FVRCP. Sue Nicholson was the staff member that provided services that day;
15 according to the 1/14/20 medical record, Complainants were advised the
16 cat's testicles had not dropped.

17 5. On January 14, 2020, the cat was presented to TALGV for a bilateral
18 cryptorchid. Respondent provided services for the past 15 years for TALGV in a
19 once a month spay/neuter clinic. Some animals have prospective adoptive
20 parents, while others do not. The prospective adoptive parents are fostering the
21 animals until the animals are altered. Respondent does not meet with the
22 prospective adopters in the morning before surgery and any questions are
23 taken by a TALGV representative, which are answered when the pet is
24 discharged.
25

1 6. The cat was administered a 1 year Rabies vaccine and a microchip was
2 implanted.

3 7. At approximately 12:00pm, the cat was anesthetized with ketamine 50mg
4 and 1mg acepromazine IM. The cat had a weight = 5.8 pounds. Respondent
5 stated that the cat was slightly fractious at exam however no exam findings
6 were documented in the medical record; Respondent stated the only
7 abnormality found was that the cat was a bilateral cryptorchid male. The cat
8 was intubated and Respondent thought he felt testicles in the scrotal area;
9 thus, this site was clipped and prepped. Bilateral incisions were made, the site
10 was probed but Respondent was unable to locate either testicle. The sites were
11 closed with 2-0 PDO.

12 8. At this point, Respondent noted the cat was in a light plane of surgical
13 anesthesia; therefore, an additional 20mgs of ketamine was administered IM.
14 The abdomen and inguinal areas were clipped and prepped. Respondent
15 incised into the left inguinal area to locate the scrotal ligament and follow it
16 down to the testicle. While exploring the left inguinal canal, the cat was
17 administered another dose of 20mgs of ketamine IM to maintain a surgical
18 plane of anesthesia. Respondent was unable to locate the testicular structures
19 within the inguinal canal and closed with 2-0 gut and 2-0 PGA.

20 9. Respondent next made an incision at the umbilicus where he again
21 searched for the scrotal ligament. At this point, the cat was administered an
22 additional 20mgs of ketamine and 0.5mg of acepromazine. Respondent could
23 not locate the testicular structures and closed the abdomen with 2-0 PDO and
24 2-0 PGA. The cat was administered Convenia 20.8mg SQ, respirations and
25 cardiac auscultations were normal, and the cat was placed in recovery. The

1 surgery lasted 55 minutes. Respondent stated that the cat's vital signs were
2 monitored throughout the procedure and all were within normal limits during
3 the procedure.

4 10. The cat's vitals were not recorded in the medical record during the
5 surgical procedure.

6 11. Approximately 10 minutes into recovery, the cat stopped breathing and
7 went into cardiac arrest. CPR was initiated with artificial respirations and chest
8 compressions – epinephrine was administered intra-cardiac after IV access was
9 unsuccessful. There was no response and the cat passed away.

10 **CONCLUSIONS OF LAW**

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12 12. The Arizona State Veterinary Medical Examining Board has jurisdiction
13 over this matter pursuant to A.R.S. § 32-2201, et seq.

14 13. The conduct and circumstances described in the Findings of Fact above,
15 constitutes a violation of **A.R.S. § 32-2232 (12)** as it relates to **A.A.C. R3-11-501**
16 **(1)** for failure to provide current professional and scientific knowledge for the
17 use of ketamine and acepromazine as the sole anesthetic for an abdominal
18 surgery.

19 14. The conduct and circumstances described in the Findings of Fact above,
20 constitutes a violation of **A.R.S. § 32-2232 (21)** as it relates to **A.A.C. R3-11-502**
21 **(H)(2)** for failure to document the cat's examination prior to surgery on January
22 14, 2020 in the medical record.

23 15. The conduct and circumstances described in the Findings of Fact above,
24 constitutes a violation of **A.R.S. § 32-2232 (21)** as it relates to **A.A.C. R3-11-502**
25 **(H)(3)** for failure to record the animal's heart rate and respiration rate in the

1 medical record immediately after giving an animal a general anesthetic and
2 monitored and recorded every 15 minutes while anesthesia is being
3 administered.

4 **ORDER**

5 Based upon the foregoing Findings of Fact and Conclusions of Law it is
6 **ORDERED** that Respondent's License, No. 3524 be placed on **PROBATION** for a
7 period of one (1) year, subject to the following terms and conditions that shall
8 be completed within the Probationary period. These requirements include four
9 (4) total hours of continuing education (CE) detailed below:

10 1. **IT IS ORDERED THAT** Respondent shall provide written proof satisfactory
11 to the Board that he has completed two (2) hours of continuing education
12 (CE); hours earned in compliance with this order shall not be used for licensure
13 renewal. Respondent shall satisfy these two (2) hours by attending CE in the
14 area of anesthesia. Respondent shall submit written verification of attendance
15 to the Board for approval.

16 2. **IT IS FURTHER ORDERED THAT** Respondent shall provide written proof
17 satisfactory to the Board that he has completed two (2) hours of continuing
18 education (CE); hours earned in compliance with this order shall not be used
19 for licensure renewal. Respondent shall satisfy these two (2) hours by attending
20 CE in the area of medical record keeping. Respondent shall submit written
21 verification of attendance to the Board for approval.

22 3. **All continuing education to be completed for this Order shall be pre-**
23 **approved by the Board.** Respondent shall submit to the Board a written outline
24 regarding how he plans to satisfy the requirements in paragraphs 1 and 2 for its
25 approval within sixty (60) days of the effective date of this Order. The outline

1 shall include CE course details including, name, provider, date(s), hours of CE to
2 be earned, and a brief course summary.

3 4. Respondent shall obey all federal, state and local laws/rules governing
4 the practice of veterinary medicine in this state.

5 5. Respondent shall bear all costs of complying with this Order.

6 6. This Order is conclusive evidence of the matters described and may be
7 considered by the Board in determining an appropriate sanction in the event a
8 subsequent violation occurs. In the event Respondent violates any term of this
9 Order, the Board may, after opportunity for Informal Interview or Formal
10 Hearing, take any other appropriate disciplinary action authorized by law,
11 including suspension or revocation of Respondent's license.

12 13 **REHEARING/APPEAL RIGHTS**

14 Respondent has the right to petition for a rehearing or review of this Order.
15 Pursuant to A.R.S. § 32-2234 (H) and § 41-1092.09 the petition must be filed with
16 the Board within thirty-five (35) days from the date of mailing if the Order was
17 served via certified mail. Pursuant to A.A.C. R3-11-904 (C), the petition must set
18 forth legally sufficient reasons for granting the rehearing or review. The filing of
19 a petition for rehearing or review is required to preserve any rights of appeal to
20 the Superior Court that the party may wish to pursue.

21 This Order shall be effective and in force upon the expiration of the above
22 time period for filing a motion for rehearing or review with the Board. However,
23 the timely filing of a motion for rehearing or review shall stay the enforcement
24 of the Board's Order, unless, pursuant to A.A.C. R3-11-904 (F), the Board has
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1 expressly found good cause to believe that this Order shall be effectively
2 immediately upon the issuance and has so stated in this Order.

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4 Dated this 26th day of October, 2020.

5 Arizona State Veterinary Medical Examining Board
6 Jim Loughhead
7 Chairman

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9 By: V. Whitmore
10 Victoria Whitmore, Executive Director

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12 Original of the foregoing filed this 26th day of October, 2020
13 with the:

14 Arizona State Veterinary
15 Medical Examining Board
16 1740 W. Adams St., Ste. 4600
17 Phoenix, Arizona 85007

18 Copy of the foregoing sent by certified, return receipt mail
19 this 26th day of October, 2020 to:

20 Lyle Robinson, DVM
21 Address on file
22 Respondent

23 Copy of the foregoing sent by regular mail
24 this 26th day of October, 2020 to:

25 David Stoll, Esq.
Beaugureau, Hancock, Stoll and Schwartz, PC
302 E. Coronado Rd
Phoenix, Arizona 85004

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By: 
Board Staff